

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 H-02 L-03 FCSC-01 /019 W

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R 210930Z NOV 75

FM AMEMBASSY BUCHAREST

TO SECSTATE WASHDC 5570

UNCLAS BUCHAREST 5986

E.O. 11652 N/A

TAGS: DFUS, RO, CPAS

SUBJ: CLAIMS

REF: STATE 268367

1. EMBOFF HAS MET SEVERAL TIMES IN RECENT MONTHS WITH INTERNATIONAL RELATIONS DIRECTOR VASILE ILEASA, COUNCIL FOR SOCIALIST CULTURE AND EDUCATION, TO DISCUSS MRS. GUNTHER'S CLAIM.

2. ILEASA REPORTED THAT FURTHER INVESTIGATIONS BY COUNCIL HAD FAILED TO DEVELOP NEW INFORMATION ON TERMS BY WHICH MRS. GUNTHER SURRENDERED PORTRAIT OF AN ANCESTOR TO OPRESCU.

3. GOR'S POSITION IS THAT BURDEN OF PROOF REMAINS WITH MRS. GUNTHER'S HEIRS, SINCE ROMANIA HAS BEEN IN POSSESSION OF PAINTING SINCE 1948. IT WAS RECEIVED AS PART OF ESTATE OF DR. MARIA STANCULEANU IN THAT YEAR AFTER BEING WILLED TO THE STELIAN MUSEUM WHICH WAS LATER INCORPORATED WITH ROMANIAN MUSEUM OF ART.

4. ILEASA REITERATED GOR WOULD BE HAPPY TO CONSIDER CLAIM IF MRS. GUNTHER'S HEIRS COULD PROVIDE DOCUMENTARY EVIDENCE INDICATING MRS. GUNTHER WAS OWNER OF PAINTING BEFORE SHE LEFT ROMANIA IN 1942. HE POINTED OUT EVIDENCE TO DATE IS NOT SUFFICIENT TO SUBSTANTIATE CLAIM.

5. IN SEPARATE DISCUSSION WITH CURATOR OF OPRESCU MUSEUM,  
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RADU IONESCU, ON OCTOBER 16, EMBOFF WAS TOLD PAINTING WAS

NOT LISTED AS PART OF STANCULEANU COLLECTION IN A CATALOG PUBLISHED IN 1939. CATALOG SIMPLY STATES COLLECTION OF CHINESE AND JAPANESE PAINTINGS WERE ON LOAN TO STELIAN MUSEUM AT THAT TIME. IONESCU THEORIZED PORTRAIT MIGHT HAVE BEEN INCLUDED IN GROUP ON LOAN FROM GUNTHERS.

6. IONESCU SUGGESTED PAINTING MIGHT HAVE BEEN ACCIDENTLY INVENTORIED ALONG WITH STANCULEANU DONATION WHEN IT WAS TAKEN OVER BY THE STATE, SINCE IT WAS DISPLAYED IN SAME AREA. HE DID NOT, HOWEVER, DISCOUNT POSSIBILITY THIS HAD BEEN DONE INTENTIONALLY TO MAKE IT LOOK LIKE THE PAINTING WAS PART OF STANCULEANU LEGACY.

7. HE POINTED OUT LETTER WRITTEN BY DIRECTOR ILEASA TO MRS. GUNTHER ON MARCH - 1974 WAS CORRET IN GENERAL BUT FAILED TO INDICATE A) STANCULEANU LEGACY WAS BEQUEATHED TO STELIAN MUSEUM IN 1933, NOT IN 1949 AS LETTER SUGGESTED; B) THE GUNTHER'S TEMPORARY DONATION WAS LISTED SEPARATELY FROM - NOT PART OF THE STANCULEANU LEGACY - IN INVENTORY PUBLISHED IN 1939.

8. INSPITE OF DISCREPANCIES IN GOR VERSION OF HOW IT ACQUIRED "PORTRAIT" AS POINTED OUT BY IONESCU, EMBASSY BELIEVES ILEASA IS ARGUING FROM POSITION OF LEGAL STRENGTH. ASIDE FROM NOTARIZED STATEMENTS FROM ACQUAINTANCES OF MRS. GUNTHER AND CLAIMS TO GOR BY HER BEFORE HER DEATH THAT SHE WAS OWNER OF PICTURE, MRS. GUNTHER'S HEIRS HAVE FAILED TO PRODUCE DOCUMENTATION WHICH WOULD JUSTIFY EMBASSY'S ESPOUSING CLAIM ON THEIR BEHALF AT THIS JUNCTURE. SENATOR CURTIS INTERESTED.  
VIETS

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